

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DOUGLAS LEE DAWKINS,

Petitioner,

No. CIV S-00-0947 LKK KJM P

vs.

R.A. CASTRO, Warden,

Respondent.

ORDER

Petitioner, a state prisoner proceeding with counsel, has filed this application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On June 6, 2005, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty days. On June 27, 2005, petitioner was granted until July 25, 2005 to file his objections. Petitioner has indicated he does not object to the findings and recommendations, and respondent has not filed objections.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a de novo review of this case. Having carefully reviewed the entire

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1 file, the court finds the findings and recommendations to be supported by the record and by
2 proper analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The findings and recommendations filed June 6, 2005, are adopted in full;
- 5 2. Respondent's January 3, 2001 motion to dismiss is granted; and
- 6 3. This action is dismissed.

7 DATED: August 25, 2005.

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9 /s/Lawrence K. Karlton
10 UNITED STATES DISTRICT JUDGE

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